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- Check if  Composite Income Tax Return  
 Amended Return  
 Estimated Payment  
 Extension Payment  
 Change of address

**KENTUCKY NONRESIDENT INCOME TAX WITHHOLDING ON  
 DISTRIBUTIVE SHARE INCOME TRANSMITTAL REPORT  
 AND COMPOSITE INCOME TAX RETURN  
 (To be completed by Pass-through Entities Only)**

(1) FEIN		
(2) Kentucky Corporation/LLET Account Number		
(3) Name of Pass-through Entity		
Street Address		
City	State	ZIP Code
(4) Number of nonresident individuals, estates, trusts and C corporations subject to withholding	4	
(5) Number of nonresident individuals, estates, and trusts subject to income tax (composite return only)	5	
(6) Kentucky distributive share income before apportionment (see instructions)	6	00
(7) 100% or the apportionment factor from Schedule A, Section I, line 12	7	%
(8) Kentucky distributive share income subject to withholding/income tax (line 6 multiplied by line 7)	8	00
(9) Tax before credit (line 8 multiplied by .06 (6%))	9	00
(10) Enter pass-through partners', members' or shareholders' non-refundable credits (attach schedule)	10	00
(11) Kentucky income tax due (line 9 less line 10)	11	00
(12) Amount paid (see instructions)	12	00
(13) Balance of tax due. If line 11 is greater than line 12, enter line 11 less line 12.	13	00
(14) Tax overpayment. If line 11 is less than line 12, enter line 12 less line 11.	14	00
(15) Amount credited to 2011	15	00
(16) Amount to be refunded (line 14 less line 15)	16	00

**Make check(s) or money order(s)  
 payable to Kentucky State Treasurer.**

**Mail to:  
 Kentucky Department of Revenue  
 Frankfort, KY 40619-0006.**

**TAX PAYMENT SUMMARY**  
 (Round to nearest dollar)

1. Tax (Line 13))	\$ _____
2. Penalty	\$ _____
3. Interest	\$ _____
4. Total Payment	\$ _____

I declare under the penalties of perjury that this return, including all accompanying schedules and statements, has been examined by me and, to the best of my knowledge and belief, it is true, correct and complete.

Print name of partner, member or shareholder      Signature of partner, member or shareholder      Daytime telephone number      Date

Name of person or firm preparing return      Date

\_\_\_\_\_  
 SSN, PTIN or FEIN

<p><b>May the DOR discuss this return with the preparer?</b>  <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>
E-mail Address:
Telephone No.:

**INSTRUCTIONS**

A pass-through entity must complete this form and mail with payment to the Kentucky Department of Revenue by the 15th day of the fourth month following the close of the taxable year. Copy(ies) A of Form PTE-WH, or approved substitute, must be included. This form shall also be used to file estimated payments if filing a composite return.

**Purpose of this Form**—Form 740NP-WH (40A201) is to be used by every pass-through entity required to file a return as provided by KRS 141.206(2), except publicly traded partnerships as defined in KRS 141.0401(6)(r), to withhold Kentucky income tax on the distributive share, whether distributed or undistributed, of each nonresident individual partner, member or shareholder; or each C corporation partner or member that is doing business in Kentucky only through its ownership interest in a pass-through entity. Withholding shall be at the maximum rate provided in KRS 141.020 or 141.040. **It is also used to file a composite income tax return for those electing nonresident individual partners, members or shareholders exempt from withholding.**

**“Individual”** means an individual, estate or trust. The tax imposed by KRS 141.020 upon individuals shall apply to estates and trusts and to all fiduciaries. **KRS 141.030(1)**

**A “Partnership or S corporation partner, member or shareholder”** is not subject to withholding. A partnership or S corporation is classified as a pass-through entity as provided by KRS 141.010(26) and is not classified as a corporation or an individual.

Form PTE-WH (40A200) shall be completed for each partner, member or shareholder, and Copy A of PTE-WH for each partner, member or shareholder shall be attached to the 740NP-WH filed with the Department of Revenue. The total of the income tax withheld on the PTE-WH forms, Line 9 must equal the amount on 740NP-WH, Line 11. Also, see the instructions on PTE-WH.

**Specific Instructions**

Check applicable box to indicate type of filing as follows:

If filing a **composite income tax return**, check this box and complete lines 1 through 16. Enter on Line 12 the total amount of estimated taxes paid and taxes paid with extension. A schedule PTE-WH shall be attached for each electing nonresident individual partners, members or shareholder reporting their name, address, social security number, net distributive share income and tax due. The balance of tax due for all electing partners, members or shareholders shall be remitted with the composite return. A pass-through entity filing a composite return shall make estimated tax payments required by the provisions of KRS 141.300 on Form 740NP-WH. If the composite return is subject to declaration payments but did not make any payment or did not pay at least 70% of the tax liability, use Kentucky Form 2210-K to calculate the penalty and interest.

Enter the amount from Line 11 of 740NP-WH on Part II, Line 1.c. of Form 2210-K. Enter the amount of declaration payments (excluding any other type payment, i.e., extension payment) on Part II, Line 4.c. of Form 2210-K. Then complete Form 2210-K, Part II to calculate the penalty.

To calculate interest, enter the amount from Line 11 of 740NP-WH on Part III, Lines 1 and 5 of Form 2210-K and the amount from Line 11 of the 2009 740NP-WH on Part III, Line 6 of Form 2210-K. Then complete Form 2210-K, Part III to calculate the interest due.

If filing an **amended return**, check this box and complete lines 1 through 16. Enter on Line 12 the total amount of estimated taxes paid, taxes paid with the extension and taxes paid with the original return. If PTE-WH forms are being amended, check the amended box on each PTE-WH form to indicate that the form is being amended and attach Copy A of each amended PTE-WH to the amended 740NP-WH filed with the Department of Revenue.

If filing an **estimated payment**, check this box and complete lines 1, 2, 3 and 12. Enter on Line 12 the amount of the estimated tax payment.

If filing an **extension payment**, check this box and complete lines 1, 2, 3 and 12. Enter on Line 12 the amount of the extension payment.

If filing an **original return**, do not check any boxes and complete lines 1 through 16. Enter on Line 12 the total amount of estimated taxes paid and taxes paid with the extension.

If the pass-through entity has a **change of address**, check this box.

**LINE-BY-LINE INSTRUCTIONS**

**Line 1**—Enter the pass-through entity’s federal employer identification number (FEIN).

**Line 2**—Enter the pass-through entity’s Kentucky Corporation/ LLET Account Number.

**Line 3**—Enter the pass-through entity’s name, address and ZIP code.

**Line 4**—Enter the number of nonresident individuals (“individual” means an individual, estate or trust) and C corporations doing business in Kentucky only through their ownership interest in the pass-through entity, subject to withholding.

**Line 5**—If filing a composite return, enter the number of nonresident individuals (“individual” means an individual, estate or trust) doing business in Kentucky only through their ownership interest in the pass-through entity, subject to income tax.

**Line 6**—Enter the total distributive share income reported to nonresident individuals and C corporations as defined in the instructions for Line 4 or Line 5.

**Line 7**—Enter 100% or the apportionment factor from Schedule A, Section I, Line 12, if applicable.

**Line 8**—Enter the amount of Line 6 multiplied by the percentage on Line 7.

**Line 9**—Enter the amount of Line 8 multiplied by six percent (6%).

**Line 10**—Enter nonrefundable credits passed through to the pass-through entity’s partners, members or shareholders. **Note: The allowable LLET credit is limited to the amount of income tax calculated at the individual (KRS 141.020) or corporate (KRS 141.040) tax rates on distributive share income being reported for each individual or corporate partner, member or shareholder. Individual income tax estimates made by the pass-through entity’s partners, members or shareholders or estimates made by the pass-through entity for LLET purposes are not to be reported on this line.**

**Line 11**—Enter the amount of Line 9 less Line 10. This shall be equal to the total amount of Kentucky income tax withheld as shown on the PTE-WH forms, Line 9.

**Line 12**—Enter the taxes paid, see **Specific Instructions** above for the amount to enter on this line.

**Line 13**—If Line 11 is greater than Line 12, enter Line 11 less Line 12.

**Line 14**—If Line 11 is less than Line 12, enter Line 12 less Line 11.

**Line 15**—Enter the portion of Line 14 to be credited to 2011.

**Line 16**—Enter the portion of Line 14 to be refunded (Line 14 less Line 15).